

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
07/13/05
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Nick Kroes, Jon Rolewicz, Clara Shepherd, Ed Simmons

ABSENT:

EXCUSED: John Warner

STAFF: Henry Faltinowski, Carmen Smith, Don LaBrenz, Anthony Kleibecker, Major Metcalf, Mark Kincaid

GUESTS: Millye Battle (250 Strong), Ed Imbault (1124 Peck), Sylvia Brown (915 W. Hackley)

Meeting minutes: A motion was made by Jon Rolewicz and seconded by Randy Mackie to approve the June minutes.

A roll call vote was taken:

AYES:
Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Shepherd
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

John Warner

Motion carried.

DANGEROUS BUILDING NEW CASES:

EN-050101-250 Strong- Millye Battle, 250 Strong Ave., Muskegon, MI 49441

Millye Battle was present to represent this case.

Greg Borgman asked Ms. Battle what her intentions were. Ms Battle said she had contacted a contractor. Greg Borgman encouraged Ms. Battle to keep in contact with Inspections and to schedule appointments after receiving notices. Don LaBrenz said Ms Battle had stopped in a couple of weeks ago to talk with him but had no idea of her financial situation or of cost to repair. Nick Kroes asked had contractor been there yet. Ms Battle stated she had just contacted the contractor and read to him the inspection report and plans to meet with him next week. Ms Shepherd asked if utilities were off. Ms Battle stated no utilities are on. Don LaBrenz stated there is no electrical service because it was pulled down due to storm. Ms Shepherd asked about broken windows. Ms. Battle said broken windows had been replaced.

Staff Recommendation: Table for 90 days provided owner keeps in contact with Inspections once a month, with repairs to be complete within 90 days.

A motion was made by Randy Mackie and seconded by Nick Kroes to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Shepherd
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

John Warner

Motion carried.

DANGEROUS BUILDING REVIEW CASES:

EN-03-67 – 1124 Peck – Edward Imbault, 15394 Ritchie, Cedar Springs, MI 49319

Edward Imbault was present to represent case.

Anthony Kleibecker stated case had been before the board at an earlier date and had some history.

Mr. Imbault stated he had been negligent in keeping in contact with Inspections. He said he got the electrical rough-in inspection and is starting on the drywall. Mr. Imbault stated he didn't realize when he first started the project that he was going to have to rip things apart and start over. Don Labrenz stated only electrical inspection had been done and asked if plumbing or building inspection had been done which Mr. Imbault replied that he was trying to line up a plumber. Greg Borgman asked how much time needed to complete project. Jon Rolewicz added that neighbors are pleased with the progress. Clara Shepherd asked if house was approved by HDC which Mr. Imbault answered yes. Don LaBrenz clarified to board the HDC (who is governed by the Planning/Zoning department) process before a building permit can be issued. Ms Shepherd asked that future documentation (Certificate of Appropriateness) if approved by HDC to be included in file.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building with delay of 120 days before staff sends to Commission.

A motion was made by Nick Kroes and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

John Warner

Motion carried.

DANGEROUS BUILDING NEW CASE:

**EN-050096- 915 W. Hackley – Silvesta/Sylvia Brown – 915 W. Hackley Ave.,
Muskegon, MI 49441**

Sylvia Brown daughter of Silvesta Brown and Sam Brown (cousin) was present to represent case.

Greg Borgman reviewed case. Ms. Brown stated there had been death in the family, then mother was sick and had been hospitalized until June 3, 2005. The house was an inheritance from grandparents. The house could not be maintained due to financial trouble and Ms Silvesta Brown is now in senior housing. Sam Brown has tried to help in cleaning up the outside of the home and it appears the home has been vandalized inside. They have tried to contact mortgage company to find out the status of property with no response. Nick Kroes asked what long term intentions are? Mr. Brown stated he would like fix it up and move in.

Staff Recommendation: Table for 30 days provided an interior inspection done within 14 days and home be secured and check if home is in foreclosure.

Motion made by Nick Kroes and seconded by Clara Shepherd to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Shepherd
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

John Warner

Motion carried

EN-050098-350 Allen-Steven/Amy Kelly, P.O. Box 84, Fruitport, MI 49415-0084

.No one was present to represent case.

EN-030012-1516 Hoyt-Flagstar Bank, 5151 Corporate Dr., Troy, MI 48084

No one was present to represent case.

EN- 050102 – 1120 Jefferson- Judy Johnson, 951 Oakridge Rd., Muskegon, MI 49441

No one was present to represent case.

Staff Recommendation: Declare the buildings substandard, a public nuisance, and dangerous building.

Motion made by Randy Mackie and seconded by Clara Shepherd to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Shepherd
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

John Warner

Motion carried

OLD BUSINESS:

Anthony Kleibecker updated the board on a consent agreement for environmental issues regarding property at 487 W. Clay which owner has until July 15, 2005 to remove items from yard. Nick Kroes asked about status on 557 W. Clay. Don LaBrenz stated the only work going on is footings for front porch but no permits have been issued for main structure. Anthony Kleibecker stated that escrow monies have been received and outstanding bills have been paid and consent agreement is in place and dates are being watched closely. Clara Shepherd asked about 1309 Sixth Street which staff responded that there is a consent agreement which work is to be complete by August 1st, 2005. Ms. Clara Shepherd asked about 307 Merrill which staff reported property has been bid out and should be demolished by the next week. Staff reported that 235 Monroe would be brought before HBA on the August agenda. Ms. Shepherd asked about 1194 Sixth and staff reported that it will be bid out for demolition in August. Nick Kroes asked about update on 227 Southern and staff responded that case will be brought before commission July 26, 2005. Ms Shepherd

reported 653 Catherine, 585 Catherine and 530 Catherine. Staff reported a fire inspection at 530 Catherine was conducted and there was insurance on home and it's expected homeowner will rehabilitate. Ed Simmons asked about update on 523 W. Webster and staff reported new owner should be done within two weeks. Ms. Shepherd gave commendation to Fire Marshall for handling situation at 444 Orchard. Ms. Shepherd asked about 442 W. Muskegon stating notice was sent to wrong address and staff reported mail is sent certified according to address on tax records and the house is also posted and assured her address would be checked. Ed Simmons asked about Ms. Shepherd's comments about cases coming back many times before the board since he's relatively new to the board. Nick Kroes clarified Ms. Shepherds concerns by stating that there are times when cases come before board and are declared then come back due to change in ownership which causes frustration when process is repeated several times.

NEW BUSINESS:

Anthony Kleibecker stated that Mark Kincaid would be liason for future HBA meetings.

ADJOURNMENT: 6:55 P.M.

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Gail Kunderger, City Clerk
933 Terrace Street
Muskegon, MI 49443
(616) 724-6705 or TDD (616) 724-6773